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Transmission by Facsimile on September 22, 2006

PATENT  
Dkt. OKC00705  
SEP 22 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David M. Prokop  
Application No.: 10/822,286 Group No.: 3676  
Filed: April 12, 2004 Examiner: Mark A. Williams  
For: ERGONOMIC HANDLE WITH THUMB SUPPORT AND A TOOL PROVIDED  
THEREWITH

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed July 18, 2006, for a second time rejecting claims 1-21.

## 1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on April 12, 2004.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small Entity: \$250.00

Notice of Appeal fee due for small entity: \$250.00

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

## TRANSMISSION

■ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: September 22, 2006

Signature 

Tiffany Koch

(type or print name of person certifying)

09/25/2006 TL0111 00000014 10022206

01 FC:2401

250.00 OP

02 FC:2253

510.00 OP

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## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for 3:

Fee: \$510.00

If an additional extension of time is required, please consider this a petition therefore.

## 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$250.00
Extension Fee:	\$510.00
<b>TOTAL FEE DUE</b>	<b>\$760.00</b>

## 5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$760.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

Respectfully submitted,

Date:

Sept. 22, 2006

Daniel P. Dooley

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